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HOUSE BILL 881

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

THOMAS P. FOY

AN ACT

RELATING TO DOMESTIC AFFAIRS; AUTHORIZING FEDERAL JUDGES,
JUSTICES AND MAGISTRATES TO SOLEMNIZE CONTRACTS OF MARRIAGE;
AMENDING A SECTION OF THE NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 40-1-2 NMSA 1978 (being Laws 1859-1860,
p. 120, as amended) is amended to read:

"40-1-2. CLERGYMEN OR CIVIL MAGISTRATES MAY SOLEMNIZE--
FEES. --

A. It is lawful, valid and binding to all intents
and purposes for those who may so desire to solemnize the
contract of matrimony by means of any ordained clergyman or
authorized representative of a federally recognized Indian
tribe, without regard to the sect to which he may belong or the
rites and customs he may practice.

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B. Judges, justices and magistrates of any of the courts established by the constitution of the United States and laws of the United States or established by the constitution of New Mexico and laws of the state are civil magistrates having authority to solemnize contracts of matrimony.

C. Civil magistrates solemnizing contracts of matrimony shall charge no fee therefor."

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**State of New Mexico
House of Representatives**

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

February 24, 1997

Mr. Speaker:

Your JUDICIARY COMMITTEE, to whom has been referred

HOUSE BILL 881

has had it under consideration and reports same with
recommendation that it DO PASS.

Respectfully submitted,

Thomas P. Foy, Chairman

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 11 For 0 Against

Yes: 11

Excused: Pederson, Rios

Absent: None

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 21, 1997

Mr. President:

Your PUBLIC AFFAIRS COMMITTEE, to whom has been
referred

HOUSE BILL 881

has had it under consideration and reports same with
recommendation that it DO PASS, and thence referred to the
JUDICIARY COMMITTEE.

Respectfully submitted,

Shannon Robinson, Chairman

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 3 For 2 Against

Yes: 3

No: Boitano, Garcia

Excused: Adair, Ingle, Vernon, Smith

Absent: None

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Underscored material = new
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